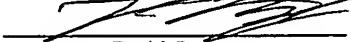


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**UTILITY PATENT APPLICATION TRANSMITTAL**  
(For new non-provisional applications under 37 CFR § 1.53(b))

Atty. Dkt. No: 5760-15000	
Inventor(s):	
John Colgrove	
Par Botes	
Michael Timpanaro-Perrotta	
Charles Silvers	
Peter Vajgel	
Title: Backup Mechanism for a Multi-Class File System	

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10	
"Express Mail" mailing label number: EV 318248944 US	
DATE OF DEPOSIT: December 31, 2003	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to:	
Commissioner for Patents M/S Patent Application P.O. Box 1450 Alexandria, VA 22313-1450	
 Derrick Brown	

Assignee: Veritas Operating Corporation 350 Ellis Street Mountain View, CA 94043 U.S.A.
--

**Application Elements**

1.  Filing Fee

The filing fee is calculated as shown below.

Total Claims	47	-20=	27	x \$18.00=	\$486.00
Independent Claims	5	-3 =	2	x \$86.00=	\$172.00
Multiple Dependent Claims				Fee:	\$0.00
				Basic Fee:	\$770.00
				Assignment Fee	\$40.00
				Sub-Total:	\$1,468.00
				Reduction by 50% for Small Entity:	\$0.00
				Total:	\$1,468.00

The Commissioner is hereby authorized to charge the filing fee and any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C., Deposit Account No. 501505/5760-15000/RCK.

2.  Specification

57 page(s) of specification; 12 page(s) of claims, 1 page(s) of abstract

3.  Drawings

Figure(s) 1-12 on 14 sheet(s)

4.  Oath or Declaration

Newly executed

Copy from a prior application (see 37 C.F.R. § 1.63(d))

Deletion of Inventor(s) (in continuation or divisional applications):

Delete the following inventor(s) named in the prior non-provisional application: \_\_\_\_\_

The inventor(s) to be deleted are set forth on a signed sheet attached hereto.

5.  The entire disclosure of the prior application referred to above is considered to be part of the accompanying application and is hereby incorporated by reference herein.

6.  Microfiche Computer Program (Appendix)

7.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
 Computer Readable copy  
 Paper Copy (identical to computer copy)  
 Statement verifying identity of above copies

8.  Assignment Papers

9. Power of Attorney  
 Is attached.  
 The power of attorney appears in the original papers of the prior application.  
 Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

10.  Information Disclosure Statement (IDS)  
 Copies of IDS Citations

11. Amendments  
 A preliminary amendment is enclosed.  
 Cancel in this application claim(s) \_\_\_\_\_ before calculating the filing fee. At least one independent claim is retained for filing purposes.  
 Amend the specification by inserting before the first line the sentence: \_\_\_\_\_.

12.  Return Receipt Postcard

13. Small Entity Status  
 A small entity statement is enclosed.  
 A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.  
 Is no longer claimed.

14.  Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §§ 119(a)-(d)

15.  Petition under 37 C.F.R. § 136 for Extension of Time

16.  Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

Address all future correspondence to:

Customer      Robert C. Kowert  
No. 35960      Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
                    P.O. Box 398  
                    Austin, Texas 78767  
                    Phone: (512) 853-8800 Fax: (512) 853-8801

Signature

Name

Registration No.

Date



Robert C. Kowert

39,255

December 31, 2003

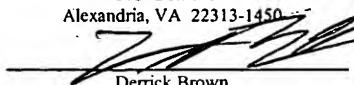
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Commissioner for Patents  
M/S Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450



Derrick Brown

REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)

Atty Docket Number:	5760-15000
First Named Inventor:	John Colgrove
Title:	Backup Mechanism for a Multi-Class File System

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b)

December 31, 2003  
Date


  
Signature

Robert C. Kowert 39,255  
Typed or printed name Reg. No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT  
(5760-15000/VRTS0532)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown

Filed: Herewith

Inventor(s):

John Colgrove

Par Botes

Michael Timpanaro-Perrotta

Charles Silvers

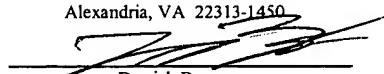
Peter Vajgel

Title: Backup Mechanism for a  
Multi-Class File System

§ Examiner: Unknown

§ Group/Art Unit: Unknown

§ Atty. Dkt. No: 5760-15000

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M/S Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Derrick BrownFEE AUTHORIZATIONCommissioner for Patents  
M/S Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450The Commissioner is hereby authorized to charge the following fee to Meyertons,  
Hood, Kivlin, Kowert & Goetzl, P.C. Deposit Account Number 501505/5760-  
15000/RCK:Fee: Filing Fee Amount: \$770.00  
Fee: Excess Claims Amount: \$658.00Attorney Docket No.: 5760-15000  
Attorney Docket No.: 5760-15000

Respectfully submitted,

  
Robert C. Kowert  
Reg. No. 39,255Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
(512) 853-8800  
Date: December 31, 2003